

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERNEST EDWARDS,

Petitioner,

v.

CASE NO. 5:07-CV-12874
HONORABLE JOHN CORBETT O'MEARA

GERALD HOFBAUER,

Respondent.

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ORDER DENYING DISQUALIFICATION MOTION

This matter is before the Court on Petitioner Ernest Edwards' "Motion to Disqualify Trial Judge." The Court, however, has already dismissed this action and denied a certificate of appealability and leave to proceed *in forma pauperis* on appeal. His request is therefore untimely and moot. Furthermore, Petitioner has not set forth any facts or circumstances to establish that disqualification is warranted. Accordingly;

IT IS ORDERED that Petitioner's motion is **DENIED**. This case is closed. No further pleadings should be submitted in this matter.

s/John Corbett O'Meara
United States District Judge

Dated: August 9, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 9, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager